

June 10, 2010

TO: USPTO

From: Dr. Ira L. Shapira, DDS, FICCMO

Re: Patent application of Harold E Cutler, 10/593,172

I have read the above Declaration written by Mr. Cutler and am in agreement with his thoughts and opinions contained therein. He originally contacted me in an effort to gain more knowledge about the physiology of obstructive sleep apnea to further improve the effectiveness of his device. I was fascinated at the device Mr. Cutler produced because he approached it with no dental professional preconceptions. A device such as Mr. Cutlers consisting of a palatal lifter coupled with a tongue retaining member is unquestionably different than previous attempts which connect the palate lifter to a Maxillary oral appliance. These two components are arranged and configured in a unique way such that the existence of one supports and improves the effectiveness of the other. Palatal lifts were ineffective because they did not address the primary point of obstruction at the base of the tongue but the combination of tongue restraint and palatal support may prove extremely effective. I would not have expected that this relatively simple and universal device would perform as well as it does. Future testing is obviously required to insure efficacy.

I am a Diplomate of the American Board of Dental Sleep Medicine and served as a visiting assistant professor at the Sleep Disorder Service at Rush Medical School in the 1980's and returned as an Assistant Professor in the late 1990's. I worked with Larry Glaze and the Equalizer appliance and Dr. Charles Samuelson and the original TRD.

Mr. Cutler's device has the potential to change oral appliance therapy in a very positive direction. Future research will be needed for testing of efficacy. The ability to titrate tongue position and/or soft palate tension in seconds will allow for lab titration.

I would like to state, unequivocally that I have no present, or contemplate any future commercial interest in Mr. Cutler's device and I am not being compensated for this letter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Sincerely,



Dr. Ira L. Shapira, DDS, D,ABDSM, D,AAFP, FICCMO



## Ira L. Shapira, DDS, FICCM

In Gurnee, Illinois - Serving the Chicago metro area

### General and Cosmetic Dentistry

#### Education And Professional Affiliations

- Bachelor of Science, Microbiology Ohio State University
- Doctor of Dental Surgery Loyola University Chicago (1977)
- Fellow of the International College of Cranio-Mandibular Orthopedics Former International Regent, Lecturer for ICCMO
- Lecturer American Academy of Anti-Aging Medicine
- Diplomate of the Academy of Pain Management
- Former Assistant Professor at Rush Medical School Sleep Disorder Service
- Charter Member of the Academy of Dental Sleep Medicine (originally named Sleep Disorder Dental Society)
- Founding member of DOSA, The Dental Organization for Sleep Apnea
- Credentialed by Academy of Dental Sleep Medicine
- Diplomat American Board of Dental Sleep Medicine
- Graduate of The Las Vegas Institute for Advanced Dental Studies
- American Academy of Cosmetic Dentistry
- International Academy of Comprehensive Esthetics
- Academy of Computerized Dentistry of North American
- International Academy of Oral Implantology
- American Dental Association
- Chicago Dental Society
- Illinois Dental Society
- Academy of General Dentistry
- American Equilibration Society
- Academy Craniofacial Pain